

**In the
United States Court of Appeals
for the Federal Circuit**

APPLIED PREDICTIVE TECHNOLOGIES, INC.,

Plaintiff-Appellant,

v.

MARKETDIAL, INC., JOHN M. STODDARD,

aka Johnny Stoddard, MORGAN DAVIS,

Defendants-Appellees.

On Appeal from the United States District Court for the
District of Utah in No. 2:19-cv-00496-JNP
Honorable Jill N. Parrish, Judge Presiding.

APPELLANT'S NOTICE OF CORRECTION

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FORM 9. Certificate of Interest

Form 9 (p. 1)
March 2023

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

CERTIFICATE OF INTEREST

Case Number 2024-1751, 2024-1805

Short Case Caption Applied Predictive Technologies, Inc. v. MarketDial, Inc.

Filing Party/Entity Applied Predictive Technologies, Inc.

Instructions:

1. Complete each section of the form and select none or N/A if appropriate.
2. Please enter only one item per box; attach additional pages as needed, and check the box to indicate such pages are attached.
3. In answering Sections 2 and 3, be specific as to which represented entities the answers apply; lack of specificity may result in non-compliance.
4. Please do not duplicate entries within Section 5.
5. Counsel must file an amended Certificate of Interest within seven days after any information on this form changes. Fed. Cir. R. 47.4(c).

I certify the following information and any attached sheets are accurate and complete to the best of my knowledge.

Date: 05/13/2024

Signature: /s/ Kirk R. Ruthenberg

Name: Kirk R. Ruthenberg

FORM 9. Certificate of Interest

Form 9 (p. 2)
March 2023

1. Represented Entities. Fed. Cir. R. 47.4(a)(1).	2. Real Party in Interest. Fed. Cir. R. 47.4(a)(2).	3. Parent Corporations and Stockholders. Fed. Cir. R. 47.4(a)(3).
Provide the full names of all entities represented by undersigned counsel in this case.	Provide the full names of all real parties in interest for the entities. Do not list the real parties if they are the same as the entities. <input checked="" type="checkbox"/> None/Not Applicable	Provide the full names of all parent corporations for the entities and all publicly held companies that own 10% or more stock in the entities. <input type="checkbox"/> None/Not Applicable
Applied Predictive Technologies, Inc.		APT Software Holdings, Inc.
		Mastercard International Incorporated
		Mastercard Incorporated

☐ Additional pages attached

FORM 9. Certificate of Interest

Form 9 (p. 3)
March 2023

4. Legal Representatives. List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities. Do not include those who have already entered an appearance in this court. Fed. Cir. R. 47.4(a)(4).

☐ None/Not Applicable ☒ Additional pages attached

David W. Tufts, Dentons US LLP	Eric L. Sophir, Foley & Lardner	Kerisha Bowen, Dentons US LLP
Mary Kate Brennan, Dentons US LLP	Megan M. Carroll, Dentons US LLP	Adam Richards, Ray Quinney & Nebeker PC
Ashley M. Gregson, Dentons Durham Jones & Pinegar PC	Blake L. Osborn, Dentons US LLP	Elissa C. Jeffers, Dentons US LLP

5. Related Cases. Other than the originating case(s) for this case, are there related or prior cases that meet the criteria under Fed. Cir. R. 47.5(a)?

☒ Yes (file separate notice; see below) ☐ No ☐ N/A (amicus/movant)

If yes, concurrently file a separate Notice of Related Case Information that complies with Fed. Cir. R. 47.5(b). **Please do not duplicate information.** This separate Notice must only be filed with the first Certificate of Interest or, subsequently, if information changes during the pendency of the appeal. Fed. Cir. R. 47.5(b).

6. Organizational Victims and Bankruptcy Cases. Provide any information required under Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees). Fed. Cir. R. 47.4(a)(6).

☒ None/Not Applicable ☐ Additional pages attached

4. Legal Representatives (cont.). List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities		
Jennifer D. Bennett, Dentons US LLP	Katherine McMorrow, Dentons US LLP	Patrick Doll, Dentons US LLP
Samuel C. Straight, Ray Quinney & Nebeker PC		

NOTICE OF CORRECTION

The Confidential and Non-Confidential Brief of Appellant, Applied Predictive Technologies, Inc. (“APT”), was filed on July 19, 2024. After filing, counsel for APT realized that the covers of the briefs contain a minor error, misstating the case number in the district court below. The error is not substantive, and the correction is shown in the table below:

Prior to Correction:	After Correction:
cover: “2:19-cv-00796-JNP.”	“2:19-cv-00496-JNP.”

That correction is incorporated into the Corrected Confidential Brief of Appellant and Corrected Non-Confidential Brief of Appellant filed herewith.

Dated: December 4, 2024

Respectfully submitted,

/s/ David B. Goroff

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